MEETINGS TO DATE 02 NO. OF REGULARS 02 NO. OF SPECIALS 00

LANCASTER, NEW YORK JANUARY 16, 1990

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at Lancaster, New York on the 16th day of January 1990 at 8:00 P.M. and there were

PRESENT: RONALD A. CZAPLA, COUNCILMAN

ROBERT H. GIZA, COUNCILMAN

DONALD E. KWAK, COUNCILMAN

JOHN T. MILLER, COUNCILMAN

STANLEY JAY KEYSA, SUPERVISOR

ABSENT: NONE

ALSO PRESENT: ROBERT P. THILL, TOWN CLERK

RICHARD SHERWOOD, TOWN ATTORNEY

BRUCE SHEARER, TOWN ENGINEER

NICHOLAS LO CICERO, DEPUTY TOWN ATTORNEY

JEFFREY H. SIMME, BUILDING INSPECTOR

THOMAS E. FOWLER, CHIEF OF POLICE

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN KWAK , WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN GIZA , TO WIT:

RESOLVED, that the minutes from the Regular Meeting of the Town Board, held on January 1, 1990, be and hereby are approved.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

January 16, 1990

File: R.MIN (P1)

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN CZAPLA , WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN GIZA , TO WIT:

WHEREAS, the Town Board of the Town of Lancaster has previously advertised for bids for the furnishing to the Police Department of the Town of Lancaster, New York, New 1989 or 1990 Police Cars in accordance with specifications on file with the Town Clerk of the Town of Lancaster, and

WHEREAS, said bids were duly opened December 18, 1989, and

WHEREAS, DURYEA FORD INC., 4875 South Lake Road, Brockport, New York 14420, has submitted the lowest responsible bid in the amount of \$15,398 per car with extended maintenance plan for a 1990 police vehicle, and

WHEREAS, the Chief of Police of the Town of Lancaster has recommended the purchase of Four (4) 1990 Police Cars with the extended maintenance plan at \$15,398 per car;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby authorizes the purchase of Four (4) New 1990 Police Cars from DURYEA FORD INC., 4875 South Lake Road, Brockport, New York 14420, being the lowest responsible bidder, with extended maintenance plan, in the amount of \$15,398 per car; and

BE IT FURTHER

RESOLVED, that the Town Board authorizes the trade-in of two (2) 1988 Dodge Police Vehicles and one (1) 1989 Dodge Police Vehicle; and that an order for such 1990 automobiles is hereby authorized to be placed by the Chief of Police and that delivery be made not later than thirty (30) days after date of order.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA VOTED YES COUNCILMAN KWAK VOTED YES COUNCILMAN MILLER VOTED YES SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

January 16, 1990

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THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN KWAK , WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN MILLER , TO WIT:

WHEREAS, the Town Board approved a subdivision map cover for a development known as Forestream Village Town Houses located on Forestream Drive, and

WHEREAS, the developer, JAMES D. DilaPO, JR., has redesigned the townhouses, reducing the density per acre while re-arranging the clusters and adding garages, and

WHEREAS, the Town Board of the Town of Lancaster has reviewed the redesign plan submitted;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby approves the redesigned map cover as submitted for the above mentioned Forestream Village Townhouses as is illustrated on a map cover dated December 6, 1989, prepared by McIntosh & McIntosh, P.C. and authorizes the Town Attorney to attend to the filing of the revised map cover in the Erie County Clerk's Office.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

January 16, 1990

FILE: RES. Sub. Map. App.

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN CZAPLA , WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN KWAK . TO WIT:

WHEREAS, the Executive Law of the State of New York \$846 provides for a law enforcement accreditation program, and

WHEREAS, the Chief of Police of the Town of Lancaster has requested that the Town apply for this accreditation program, and

WHEREAS, the Law requires that the chief elected officer of the Town execute a Municipal Approval to allow the police department to participate in this program,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby authorizes the Supervisor of the Town of Lancaster to execute the Municipal Approval for the Town of Lancaster Police Department participation in the Law Enforcement Accreditation Program of the State of New York.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

January 16, 1990

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THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN MILLER , WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN CZAPLA , TO WIT:

WHEREAS, the Highway Superintendent has submitted a proposed

Agreement to the Town Board of the Town of Lancaster for the expenditure of

highway funds for the year 1990, pursuant to the requirements of the Highway

Law of the State of New York, and

WHEREAS, the Hihway Superintendent has advised that the allocation of money in the proposed Agreement for general repairs to be carried out includes the cost of labor and materials, and

WHEREAS, the Town Board of the Town of Lancaster has reviewed the proposal by the Highway Superintendent;

NOW, THEREFORE, BE IT

RESOLVED,, that the Town Board of the Town of Lancaster does hereby authorize the execution of the proposed Agreement to Spend Town Highway Funds as submitted by the Superintendent of Highways.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

January 16, 1990

File: RES.HIWY.FUNDS

SEX

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN KWAK , WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN MILLER , TO WIT:

WHISTEAS, Chapter 30, "Permit and Application Fees" of the Code of the Town of Lancasater provides for the schedule of fees which accompany Building Permits, and

WHEREAS, the Town Board has reviewed the fee schedule and has determined it to be in the public interest to make certain amendments to the fee schedule therein, as follows:

\$30-27. Conservation Fee. (B)(1), (B)(2) and (B)(3) shall be amended to read as follows:

"§30-27. Conservation fee.

B. The fee schedule proposed for conservation is as follows:

- (1) Single-family dwelling: Two Hundred Fifty Dollars (\$250.) per lot.
- (2) Multiple Dwelling: Two Hundred Fifty Dollars (\$250.) for the first dwelling, plus Two Hundred Dollars (\$200.) for each additional dwelling unit.
- (3) Commercial and industrial buildings: Five Hundred Dollars (\$500.) per acre or any part thereof."

NOW, THEREFORE, BE IT

RESOLVED, that pursuant to Section 130 of the Town Law of the State of New York, a Public Hearing on a proposed amendment to the PERMIT AND APPLICATION FEES ORDINANCE, Chapter 30 of the Code of the Town of Lancaster, County of Erie and State of New York, will be held at the Town Hall, 21 Central Avenue, Lancaster, New York, on the 5th day of February, 1990, at 8:40 o'clock P.M., Local Time, and that Notice of the time and place of such hearing be published on or before the 25th day of January, 1990, in the Lancaster Bee, the official newspaper, being a newspaper of general circulation in said Town and be posted on the Town Bulletin Board, which Notice shall be in the form attached hereto and made a part hereof.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

January 16, 1990

LEGAL NOTICE PUBLIC HEARING TOWN OF LANCASTER

LEGAL NOTICE IS HEREBY GIVEN that pursuant to the Town Law of the State of New York and pursuant to a resolution of the Town Board of the Town of Lancaster, adopted on the 16th day of January, 1990, the said Town Board will hold a Public Hearing on the 5th day of February, 1990, at 8:40 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, to hear all interested persons upon the proposed amendment to the Permit and Application Fees Ordinance, designated as Chapter 30 of the Code of the Town of Lancaster, as follows:

\$30-27. Conservation Fee. (B)(1), (B)(2) and (B)(3) shall be amended to read as follows:

"§30-27. Conservation fee.

B. The fee schedule proposed for conservation is as follows:

- (1) Single-family dwelling: Two Hundred Fifty Dollars (\$250.) per lot.
- (2) Multiple Dwelling: Two Hundred Fifty Dollars (\$250.) for the first dwelling, plus Two Hundred Dollars (\$200.) for each additional dwelling unit.
- (3) Commercial and Industrial Buildings: Five Hundred Dollars (\$500.) per acre or any part thereof."

Full opportunity to be heard will be given to any and all citizens and all parties in interest.

TOWN BOARD OF THE TOWN OF LANCASTER

BY: Robert P. Thill Town Clerk

January 16, 1990

FILE: RES.ORD.AMEND.

XSE

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN KWAK , WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN GIZA , TO WIT:

WHEREAS, EDWARD G. BAUMLER, d/b/a O & B - TV INC., 30 Panama Lane Cheektowaga, New York, 14225, the owner of a parcel of land at 5395 Genesee Street, in the Town of Lancaster, which property is located on the south side of Genesee Street, approximately 262.74 ± feet east of Harris Hill Road, has petitioned the Town Board of the Town of Lancaster for the rezone of said property from an RCO - Residential-Commercial-Office District to a GB-General Business District, and

WHEREAS, the petition has been referred to the Planning Board of the Town of Lancaster for its recommendation and report,

NOW, THEREFORE, BE IT

RESOLVED, that pursuant to Sections 130 and 265 of the Town Law of the State of New York, a Public Hearing on the proposed rezone will be held at the Town Hall, 21 Central Avenue, Lancaster, New York, on the 5th day of February, 1990, at 8:30 o'clock P.M., Local Time, and that Notice of the time and place of such hearing be published in the Lancaster Bee, a newspaper of general circulation in said Town, and be posted on the Town Bulletin Board, and that a Notice of such Hearing be referred to the Erie County Department of Planning, pursuant to \$239(m) of the General Municipal Law, which Notice shall form attached hereto and madea part hereof.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

January 16, 1990

LEGAL NOTICE PUBLIC HEARING TOWN OF LANCASTER

LEGAL NOTICE IS HEREBY GIVEN that pursuant to the Town Law of the State of New York and pursuant to a resolution of the Town Board of the Town of Lancaster, adopted on the 16th day of January, 1990, the said Town Board will hold a Public Hearing on the 5th day of February, 1990, at 8:30 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, to hear all interested persons upon the following proposed amendment to the Zoning Ordinance and Zoning Map of the Town of Lancaster, rezoning the following described real property from an RCO - Residential-Commercial-Office District to a GB - General Business District:

ALL that certain plot, piece parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Town of Lanaster, County of Erie, State of New York, being part of Lot 3, Section 12, Township 11, Range 6 of the Holland Land Company's Survey bounded and described as follows:

BEGINNING at a point in the southerly line of Genesee Street 262.74 feet northeasterly from its intersection with the east line of Harris Hill Road; thence southerly parallel with the east line of Harris Hill Road 509.67 feet; thence east at right angles to Harris Hill Road 88.58 feet; thence north parallel with the east line of Harris Hill Road 555.97 feet to the southeast line of Genesee Street 100 feet to the or place of beginning, containing 1.08 acres more or less.

SUBJECT to covenants, easements and restrictions of record, if any.

Full opportunity to be heard will be given to any and all citizens and all parties in interest.

TOWN BOARD OF THE TOWN OF LANCASTER

BY: ROBERT P. THILL Town Clerk

January 16, 1990

File: RES.REZ.1

I BX

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN CZAPLA , WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN KWAK , TO WIT:

WHEREAS, the Town Board of the Town of Lancaster has heretofore annually authorized the administration of a Tree Planting Program for the purpose of beautifying the rights-of-way of public highways and streets of the Town of Lancaster by furnishing and planting shade trees, and

WHEREAS, funds have been provided in the current 1990 General Town Budget for the 1990 Tree Planting Program, and

WHEREAS, the Tree Planting Committee of the Town Board has reviewed the Town of Lancaster's 1990 Tree Planting Program and recommends the planting of certain species of trees on certain streets in accordance with the official Tree Planting Master Plan of the Town of Lancaster and specifications on file in the Town Clerk's Office in the Town Hall, Lancaster, New York,

NOW, THEREFORE, BE IT RESOLVED, as follows:

- 1. That sealed bids be received by this Town Board up to 8:10 o'clock P.M., Local Time, on February 5, 1990, for meeting the requirements of the Town of Lancaster's 1990 Tree Planting Program and for supplying of trees in accordance with specifications on file in the Town Clerk's Office in the Town of Lancaster, New York, and
- 2. That the Town Clerk be and is hereby authorized to have a Notice to Bidders and Nurserymen published in the Lancaster Bee, and to have said Notice posted as required by Law, which Notice shall be in form attached hereto and made a part hereof.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

January 16, 1990

File: R-B.O.-TREE (P1)

A HIBIT I III

LEGAL NOTICE

TOWN OF LANCASTER NOTICE TO BIDDERS OR NURSERYMEN

NOTICE IS HEREBY GIVEN that sealed bids will be received by this Town Board up to 8:10 o'clock P.M., Local Time, on February 5, 1990, for meeting the requirements of the Town of Lancaster's Tree Planting Program and for the supplying of such required trees in accordance with specifications on file in the Town Clerk's Office in the Town Hall, 21 Central Avenue, Lancaster, New York.

Each proposal must be accompanied by a check payable to the Town of Lancaster or a bid bond, having as surety thereon a surety company acceptable to the Town Attorney, in the amount of Two Hundred Fifty Dollars (\$250.00) conditioned that, if his proposal is accepted, he will enter into a contract for the same and that he will execute any such further security as may be required for the faithful performance of the contract.

The Town Board of the Town of Lancaster reserves the right to reject any or all bids and to waive any informalities.

TOWN BOARD OF THE TOWN OF LANCASTER

BY: ROBERT P. THILL
Town Clerk

January 16, 1990

File: R-B.O.-TREE (P2)

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THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN KWAK , WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN MILLER , TO WIT:

WHEREAS, the Town Board of the Town of Lancaster has caused a review and consideration of the implementation of a local law to provide that site plans shall be subject to the imposition of land, or money in lieu thereof, as a condition of site plan review in the same fashion as §277 of the Town Law provides for on subdivision review, and

WHEREAS, the Town Board of the Town of Lancaster deems it in the public interest to exercise the authority granted to the Town under Municipal Home Rule Law §10 of the State of New York to amend or supercede Town Law §277 which authorizes land or money in lieu thereof to be given by the developer to the Town as a condition of site plan review on proposed developments other than subdivisions, said moneys to be used for recreation purposes, and

WHEREAS, the Town Board of the Town of Lancaster further deems it in the public interest to adopt and enact the proposed Local Law No. 1 of the Year 1990, to be known as Chapter 30-28, "Site Plan Review", of the Permit and Application Fee Ordinance of the Code of the Town of Lancaster which Local Law will amend Chapter 30, Permit and Application Fee Ordinance of the Code of the Town of Lancaster, substituting a new Section 30-28, causing the renumbering of current Sections 30-28 to 30-31 inclusive, to Sections 30-29 to 30-32 inclusive, and which reads as follows:

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PERMIT AND APPLICATION FEE ORDINANCE

SITE PLAN REVIEW FEE

CHAPTER 30-28 CODE OF TOWN OF LANCASTER

PROPOSED

LOCAL LAW NO. 1

1990

30-28.1 Legislative authority; title

30-28.2 Definitions

30-28.3 Site plan review required

30-28.4 When effective

BE IT ENACTED, by the Town Board of the Town of Lancaster, as follows:

30.28.1 Legislative Authority; title.

This Local Law is enacted pursuant to the authority granted in §10 of the Municipal Home Rule Law of the State of New York, wherein a municipality may adopt local laws relating to the property, affairs and government of the town, and shall be known as "Site Plan Review Fee law of the Town of Lancaster."

30.28.2 Definitions.

For the purpose of this Local Law, certain terms are defined as follows:

SITE PLAN -- shall mean any development plan for single family residential or multiple dwelling uses (including townhouses, condominiums or apartments), or other overnight occupancy uses (including hotels and motels), for premises other than a subdivision, which plan is subject to review by the Town of Lancaster, pursuant to the Zoning Ordinance of the of the Code of the Town of Lancaster.

FEE -- shall mean land or money in lieu thereof as determined by the Town.

30.28.3 Site plan review fee required.

Where application is made to the Town of Lancaster to review a site plan for development of a property as defined herein as required by the Zoning Ordinance of the Town of Lancaster, the Town will make a decision whether to impose as a condition for review either one or the other of the following:

- A conveyance of part of the premises to be used as park land, or
- (2) A sum of money in lieu of the conveyance of land as recited in (1) in an amount equal to the per unit charge as imposed by the Town for subdivisions under \$30-25(B) of the Code of the Town of Lancaster.
- 30.28.4 When effective.

This Local Law shall take effect after mailing, filing and required by law.

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NOW, THEREFORE, BE IT

RESOLVED, that pursuant to the Municipal Home Rule Law of the State of New York and Chapter 26 of the Code of the Town of Lancaster, a public hearing on the proposed Local Law No. 1 of the Year 1990, also known as Chapter 30, Section 28, of the Code of the Town of Lancaster, entitled, "Site Plan Review Fee", will be held at the Town Hall, 21 Central Avenue, Lancaster, New York, at 8:20 o'clock P.M., Local Time, on the 5th day of February, 1990, and that Notice of the time and place of such hearing be published on January 25, 1990, in the Lancaster Bee, being a newspaper of general circulation in said Town and posted on the Town Bulletin Board, which Notice shall be in the form attached hereto and made a part hereof, and

BE IT FURTHER

RESOLVED, that the Town Clerk is directed to make copies of the proposed Local Law No. 1 of the Year 1990, for inspection by and distribution to any person during business hours.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

January 16, 1990

File: RES.LOC.LAW.PROP.

JEX

LEGAL NOTICE

PUBLIC HEARING TOWN OF LANCASTER

LEGAL NOTICE IS HEREBY GIVEN, that pursuant to the Municipal Home Rule Law of the State of New York and Chapter 26 of the Code of the Town of Lancaster, and pursuant to a resolution of the Town Board of the Town of Lanaster, adopted on the 16th day of January, 1990, the said Town Board will hold a Public Hearing on the 5th day of February, 1990, at 8:20 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, to hear all interested persons upon the proposed enactment of Local Law No. 1 of the Year 1990, which will amend Chapter 30, Permit and Application Fee Ordinance by substituting a new Section 30-28 entitled "Site Plan Review" and causing the renumbering of current Sections 30-28 to 30-31 inclusive, to Sections 30-29 to 30-32, inclusive, which Local Law is briefly described as follows:

> "A Local Law which will provide for land, or in lieu thereof, a fee from developers of single family residential or multiple dwelling uses, (including townhouses, condominiums) or apartment buildings), and other overnight occupancy uses (including hotels and motels), which are not a part of a subdivision development, pursuant to the authority vested in the Town under Municipal Home Rule Law of the State of New York."

A complete copy of the proposed Local Law No. 1 of the Year 1990 entitled, Section 30-28, Site Plan Review, is available at the office of the Town Clerk for inspection by and distribution to any person during business hours.

Full opportunity to be heard will be given to any and all citizens and all parties interest.

> TOWN BOARD OF THE TOWN OF LANCASTER

ROBERT P. THILL BY: Town Clerk

January 16, 1990

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THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN KWAK, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN GIZA, TO WIT:

WHEREAS, Councilman Miller has requested permission to attend the Sixth Annual Conference on Solid Waste Management and Material Policy to be held in New York City from January 31st through February 2nd, 1990,

NOW, THEREFORE, BE IT

RESOLVED, that JOHN T. MILLER, COUNCILMAN of the Town of Lancaster, be and hereby is authorized to attend the Sixth Annual Conference on Solid Waste Management and Material Policy to be held in New York City from January 31st through February 2nd, 1990, and

BE IT FURTHER

RESOLVED, that expense reimbursement for ordinary and necessary expenses be and is hereby authorized, and

BE IT FURTHER

RESOLVED, that said reimbursement will be made only upon submission of proper documentation and substantiation of expenses, including receipts, to the Accounting Department of the Town of Lancaster.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

January 16, 1990

File: R.SEM.MTGS (P1)

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THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN CZAPLA ITS ADOPTION, SECONDED BY COUNCILMAN GIZA , TO WIT:

WHEREAS, the Town Line Volunteer Fire Department, Inc., by letter dated January 6, 1990, has requested the confirmation of two new members duly elected to the membership of the Town Line Volunteer Fire Department, Inc.,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby confirms the additions to the membership of the Town Line Volunteer Fire Department, Inc. of the following individuals:

ADDITION

Daniel Janis 28 Plumb Creek Trail Lancaster, New York 14086

Gregory Stevens 18 Plumb Creek Trail Lancaster, New York 14086

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

January 16, 1990

File: R.FIRE (P4)

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THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN GIZA , WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN MILLER , TO WIT:

WHEREAS, the Lancaster Volunteer Ambulance Corps, by letter dated

January 1, 1990 has recommended the appointment of certain individuals to the
membership of said Corps,

NOW, THEREFORE, BE IT

RESOLVED, that the following additions be made to the membership of the Lancaster Volunteer Ambulance Corps:

Andrew Damiani 108 Pleasant View Drive Lancaster, New York 14086

Rosemary Will 251 Mill Street E. Aurora, New York 14052

Janice Buczek 29 Argus Drive Depew, New York 14043 Mary Ardillo 18 Christen Court Lancaster, New York 14086

Michael Hyde 24 JFK Lane Depew, New York 14043

Richard Leffler 298 Davidson Avenue Buffalo, New York 14215

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

January 16, 1990

File: R.LVAC

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN KWAK, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN GIZA, TO WIT:

WHEREAS, the Executive Director of the Youth Bureau of the Town of Lancaster, by letter dated January 5, 1990, has requested permission to attend the Association of New York State Youth Bureaus Board of Directors meeting in Albany, New York on January 16th and January 17th, 1990,

NOW, THEREFORE, BE IT

RESOLVED, that **JOHN TROJANOWSKY**, Executive Director of the Youth Bureau of the Town of Lancaster, be and hereby is authorized to attend the Association of New York State Youth Bureaus Board of Directors meeting in Albany, New York on January 16th and January 17th, 1990, and

BE IT FURTHER

RESOLVED, that expense reimbursement for ordinary and necessary expenses be and is hereby authorized in an amount not to exceed \$150.00, and

BE IT FURTHER

RESOLVED, that said reimbursement will be made only upon submission of proper documentation and substantiation of expenses, including receipts, to the Accounting Department of the Town of Lancaster.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

January 16, 1990

File: R.SEM.MTGS (P1)

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THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN KWAK , WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN GIZA , TO WIT:

RESOLVED, that the following Audited Claims be and are hereby ordered paid from their respective accounts:

Claim No. 11491 to Claim No. 11854 Inclusive.
Total amount hereby authorized to be paid:

\$858,474.84

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

January 16, 1990

File: R.CLAIMS

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN KWAK, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN GIZA, TO WIT:

RESOLVED, that the following Building Permit Applications be and are hereby approved and the issuance of these Building Permits be and are hereby authorized:

CODES:

- (T) = Tree Planting Fee tendered to the Town of Lancaster pursuant to the provisions of Chapter 30-26 of the Code of the Town of Lancaster.
- (SW) = Sidewalks as required by Chapter 12-1B. of the Code of the Town Lancaster.
- (CSW) = Conditional sidewalk waiver.

<u>M</u> O.	CODE	NAME	ADDRESS	\$	STRUCTURE
4	(T)	Fischione Const.	15 Hidden Tr	ER.	SIN. DWLG
5	(T)	Marrano/Marc Equity	34 Greenmeadow Dr	ER.	SIN. DWLG
6	(T)	Homes by Walter	6 Fieldstone La	ER.	SIN. DWLG
7	(T)	NDC Homes Inc.	26 Fieldstone La	ER.	SIN. DWLG
8		All-New York Bldg.	1284 Town Line Rd	ER.	STORAGE BLDG.
9	(T)	Stratford Homes Inc.	8 Fieldstone La	ER.	SIN. DWLG
10		Quick Chek	5380 Genesee St	REM	ODEL SIGN
11		Genesis Inc.	501 Aurora St	DEM	OLISH HOUSE
12		M. Hawrylenko	1180 Penora St	ER.	SHED
13	(T)	Theodore Kulbacki	247 Miller St	ER.	TOWNHOUSES
14	(T)	Theodore Kulbacki	1795 Como Park Blvd	ER.	TOWNHOUSES
15		RAM Precision Mach.	139 Gunville, Rd	ER.	FRAME SIGN
16	(T)(CSW)	DiSalvo Construction	471 Pleasantview	ER.	SIN. DWLG
17	(T)	Woodbridge Const.	19 Running Brk Dr	ER.	SIN. DWLG
18	(T)	Woodbridge Const.	17 Running Brk Dr	ER.	SIN. DWLG
and,					

BE IT FURTHER

RESOLVED, that the Building Permit Applications herein coded (SW) for sidewalk waiver be and are hereby approved with a waiver of the Town Ordinance requirement for sidewalks, and

BE IT FURTHER

RESOLVED, that the Building Permit Applications herein coded (CSW) for conditional sidewalk waiver be and are hereby approved with a waiver of the Town Ordinance required for sidewalks, however, the waiver is granted upon the condition that the Town of Lancaster, at any future date, has the right to order sidewalk installation at the expense of the property owner.

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The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN WILLER VOTED YES
SUPERVISOR KEYSA VOTED

The resolution was thereupon unanimously adopted.

January 16, 1990

File: R.BLDG (P1&2)

STATUS REPORT ON UNFINISHED BUSINESS:

- Detention Basin Milton Drive
 On June 6, 1988, The Town Engineer was directed to expedite this project.
- 2. <u>Dumping Permit New Creation Fellowship</u>
 On July 12, 1989, this matter was referred to the Town Engineer and Building Inspector for review and recommendation.
- 3. <u>Public Improvement Permit Authorization Forestream Village Subdivision, Phase I</u> (DiLapo)

TYPE	ISSUED	ACCEPTED	BONDED
Waterline	Yes	Yes	Yes
Pavement	Yes	Yes	Yes
Storm Sewers	Yes	Yes	Yes
Street Lights	Yes	No	No
Sidewalks	Yes	n/a	n/a
Curbs	Yes	Yes	Yes
Floodway Grading	Yes	No	No

4. <u>Public Improvement Permit Authorization - Forestream Village Subdivision, Phase II</u> (DiLapo)

TYPE	ISSUED	ACCEPTED	BONDED
Waterline	Yes	Yes	Yes
Pavement and Curbs	Yes	Yes	Yes
Storm Sewers	Yes	Yes	Yes
Street Lights	No	No	No
Sidewalks	No	n/a	n/a
Floodway (S. Branch)	Yes	No	No
East Culvert (S. Branch)	Yes	Yes	Yes

5. <u>Public Improvement Permit Authorization - Indian Pine Village Subdivision</u> (Fischione Const., Inc.)

TYPE	ISSUED	ACCEPTED	BONDED
Waterline	Yes	Yes	Yes
Pavement and Curbs	Yes	Yes	Yes
Storm Sewers	Yes	Yes	Yes
Street Lights	Yes	No	n/a
Sidewalks	Yes	n/a	n/a
Detention Basin	Yes	No	No
Floodway	Yes	No	No

6. <u>Public Improvement Permit Authorization - Lake Forest Subdivision</u> (Dana Warman)

TYPE	ISSUED	ACCEPTED	BONDED
Waterline	Yes	No	No
Pavement and Curbs	Yes	No	No
Storm Sewers	Yes	No	No
Street Lights	No	No	No
Sidewalks	No	n/a	n/a
Detention Basin	Yes	No	No

7. <u>Public Improvement Permit Authorization - The Meadows Subdivision</u> (Giallanza)

TYPE	ISSUED	ACCEPTED	BONDED
Waterline	Yes	Yes	Yes
Pavement and Curbs	Yes	Yes	Yes
Storm Sewers	Yes	Yes	Yes
Street Lights	Yes	No	n/a
Sidewalks	Yes	n/a	n/a
Detention Basin	n/a	n/a	n/a

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STATUS REPORT ON UNFINISHED BUSINESS (CONT'D.)

8. <u>Public Improvement Permit Authorization - Pine Tree Farm, Phase I</u> (Josela - East off Aurora Street)

TYPE	ISSUED	ACCEPTED	BONDED
Waterline (Transmission) Yes	Yes	Yes
Waterline (Hydrants)	Yes	Yes	Yes
Pavement and Curbs	Yes	Yes	Yes
Storm Sewers	Yes	Yes	Yes
Street Lights	Yes	No	No
Sidewalks	Yes	n/a	n/a
Detention Basin	Yes	No	No

9. <u>Public Improvement Permit Authorization - Pine Tree Farm, Phase II</u> (Josela - East off Aurora Street)

TYPE	ISSUED	ACCEPTED	BONDED
Waterline	Yes	Yes	Yes
Pavement and Curbs	Yes	Yes	Yes
Storm Sewers	Yes	Yes	Yes
Street Lights	Yes	No	No
Sidewalks	Yes	n/a	n/a
Detention Basin	n/a	n/a	n/a

10. <u>Public Improvement Permit Authorization - Pleasantview, Phase I</u> (Stephens)

TYPE	ISSUED	ACCEPTED	BONDED
Waterline	Yes	No	No
Pavement	Yes	No	No
Curbs	Yes	No	No
Storm Sewers	Yes	No	No
Street Lights	No	No	No
Sidewalks	No	n/a	n/a
Detention Basin	Yes	No	No

11. <u>Public Improvement Permit Authorization - Plumb Estates</u> (Galasso)

TYPE	ISSUED	ACCEPTED	BONDED
Waterline	Yes	Yes	Yes
Pavement and Curbs	Yes	Yes	Yes
Storm Sewers	Yes	Yes	Yes
Street Lights	Yes	No	n/a
Sidewalks	Yes	n/a	n/a
Detention Basin	Yes	No	No

12. <u>Public Improvement Permit Authorization - Plumb Estates South, Phase 1</u> (Galasso)

TYPE	ISSUED	ACCEPTED	BONDED
Waterline	Yes	Yes	Yes
Pavement and Curbs	Yes	Yes	Yes
Storm Sewers	Yes	Yes	Yes
Street Lights	Yes	No	n/a
Sidewalks	Yes	n/a	n/a
Detention Basin	n/a	n/a	n/a

13. <u>Public Improvement Permit Authorization - Plumb Estates South, Phase II</u> (Galasso)

TYPE	<u> ISSUED</u>	ACCEPTED	BONDED
Waterline	Yes	Yes	Yes
Pavement and Curbs	Yes	Yes	Yes
Storm Sewers	Yes	Yes	Yes
Street Lights	Yes	No	n/a
Sidewalks	Yes	n/a	n/a
Detention Basin	n/a	n/a	n/a

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STATUS REPORT ON UNFINISHED BUSINESS CONT'D.:

14. Public Improvement Permit Authorization - Southpoint, Phase I

TYPE	ISSUED	ACCEPTED	BONDED
Waterline	No	No	No
Paver and Curbs	No	No	No
Storm 'e vers	Yes	No	No
Street Lights	No	No	n/a
Side valk.	No	n/a	n/a
Detantion Basin	No	No.	No

15. Public Improvement Permit Authorization - Warnerview Estates, Phase I (Donato)

TYPE	ISSUED	ACCEPTED	BONDED
Waterline	Yes	Yes	Yes
Pavement and Curbs	Yes	Yes	Yes
Storm Sewers	Yes	Yes	Yes
Street Lights	Yes	No	n/a
Sidewalks	Yes	n/a	n/a
Detention Basin	Yes	No	No

16. <u>Public Improvement Permit Authorization - Warnerview Estates, Phase II</u> (Donato)

TYPE	ISSUED	ACCEPTED	BONDED
Waterline	Yes	Yes	Yes
Pavement and Curbs	Yes	Yes	Yes
Storm Sewers	Yes	Yes	Yes
Street Lights	Yes	No	n/a
Sidewalks	Yes	n/a	n/a
Detention Basin	n/a	n/a	n/a

- 17. Rezone Petition Chestnut Oak Development Corp. (Mark Green)
 On November 20, 1989, the Town Board held a public hearing on this matter and reserved decision.
- 18. Rezone Petition Sharon Gomas
 On December 7, 1989, this matter was referred to the Planning Board for review and recommendation to the Town Board. On January 1, 1990 the Building Inspector and Town Attorney informed the Town Board that a rezone is not necessary. The Town Clerk was directed to refund the hearing fee to the petitioner. The Town Clerk was directed to remove this item from future Town Board agendas.
- 19. Rezone Petition O & B TV Inc.
 On January 16, 1990 the Town Board set a Public Hearing on this matter for February 5, 1990.
- 20. Rezone Petition Keith A. Wilkinson, Sr.
 On December 18, 1989, the Town Board held a public hearing on this matter and reserved decision.
- 21. Special Use Permit Lee and Diane Stottele
 On December 21, 1989, the applicants requested withdrawal of their
 petition. The Town Clerk was directed to refund the hearing fee to the
 petitioner. The Town Clerk was directed to remove this item from future
 Town Board agendas.
- 22. <u>State Contract Grant 40 Clark Street Museum</u>. Application for grant has been filed.

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STATUS REPORT ON UNFINISHED BUSINESS CONT'D.:

- 23. <u>Subdivision Approval The Crossings</u> (Off Erie St.)
 Review of this subdivision is on hold pending determination of a conceptual north/south beltway right-of-way from Broadway to the New York State Thruway.
- 24. <u>Subdivision Approval Deer Cross</u> (off William St.)
 On October 4, 1989, the Planning Board approved this subdivision. On August 7, 1989, the Town Board adopted a negative SEQR Determination on this matter.
- 25. <u>Subdivision Approval Meadowland Subdivision</u> (Bosse Off Redlein Dr.) Review of this subdivision is on hold until surface water drainage problems are resolved by the developer.
- 26. <u>Subdivision Approval Thruway Industrial Park</u> (Off Gunville Rd.)
 On October 4,1989, the Planning Board approved the site plan for this subdivision.
- 27. <u>Subdivision Approval Willowridge Subdivision</u> (Gensis Off Aurora St.)
 On August 7, 1989 the Town Board adopted a negative SEQR determination on this matter. On September 16, 1989, the Chief of Police approved the site plan. On January 5, 1990 the developers withdrew their petition. The Town Clerk was directed to remove this item from future Town Board agendas.
- 28. <u>Subdivision Approval Windsor Ridge</u> (Off Lake Avenue)
 On October 4, 1989, the Planning Board approved a sketch plan for this subdivision.
- 29. <u>Subdivision Approval Woodgate Subdivision</u> (Josela Off Aurora St.) On August 2, 1989, this matter was referred to the Planning Board and Chief Fowler for review and report. On September 6, 1989, the Chief of Police approved the site plan.
- 30. <u>Traffic Survey Speed Limit Siebert Road</u>
 On August 21, 1989, a petition from the residents of Siebert Road was presented to the Town Board and referred to the Chief of Police for review and recommendation.
- 31. <u>Traffic Survey Speed Limit Westwood Road</u>
 On August 21, 1989, a petition from the residents of Westwood Road was presented to the Town Board and referred to the Chief of Police for review and recommendation.

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PERSONS ADDRESSING THE TOWN BOARD:

Robert Zichittella, 53 Country Place, read a letter to the Town Board urging that more attention be paid to ecological principals in the review of developments within the Town.

Mark Green, 5799 Broadway, requested the present status of his rezone petition for condominiums on Bowen Road.

Larry Czechozycz, 573 Lake Avenue, asked the Town Board to enact legislation to control development in the Town, specifically trespass on private property by developers.

Kenneth Beicke, 37 Maple Drive, Bowmansville, asked the Town Board if a condominium project is planned for the Maple Drive area near his home. He was informed that Keith Wilkinson has a proposal before the Board for condominiums on Genesee Street near Martha Drive.

Gloria Kubicki, 15 Maple Drive, Bowmansville, asked for present status of the SEQR Review for the Wilkinson rezone petition.

Mike Dombrowski, 55 Country Place, complained of surface water accumulation on his property.

Korleen Calkins, 5215 William Street, spoke about proposed playground facilities near the Como Park Elementary School.

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COMMUNICATIONS

DISPOSITION

designation of the second second	37.	Bissell, Stone Associates to Town Clerk - Application and Map Cover for Roseland Subdivision.	TOWN ATTORNEY FOR REVIEW. SEOR REVIEW
	38.	McIntosh & McIntosh to Town Clerk - Request approval for revised subdivision map for Forestream Village Townhouses.	R & F
	39.	Town Clerk to Town Board - Monthly Report for December, 1989.	R&F
1	40.	Town Planning Board to Town Board - Minutes of meeting #22-December 20, 1989.	R & F
	41.	Highway Superintendent to Town Board - Request approval of and signatures for "Agreement for the Expenditure of Highway Moneys".	R & F
	42.	Lake Avenue Resident to Town Board - Concerns over Lake Forest South Subdivision.	ENGINEER
1	43.	Erie County Health Department to Supervisor - Approval of Subdivision Plans for Meadowlands Subdivision.	RεF
:	44.	Depew Mayor to Supervisor - Re: Two proposed subdivisions off Colony St. and Kibler St. and Marrano Dr.	TOWN ATTORNEY SUPERVISOR ENGINEER
	45.	Town Clerk to Town Board - Town Clerk's Annual Report for 1989.	REF
:!	46.	Town Line Volunteer Fire Dept. to Town Board - Addition of two new members.	REF
	47.	Genesis Development to Town Clerk - Withdrawal of proposed Willow Ridge Subdivision Application.	R&F
	48.	WNY Reach to Town Clerk - Informational forum on Pfohl Brothers Dump at Erie Community College on 1/27/90.	MR. KEN BEICKE
1	49.	Town Assessor to Town Board - Re: Assessment Valuation Update.	REF
	50.	Town Attorney to Attorney for Forestream Village Subdivision - Questions in regard to map cover for said Subdivision.	R & F
	51.	Lancaster Recreation Commission to Town Clerk - Minutes for Meeting December 16, 1989.	R & F
	52.	Town Clerk to Town Engineer & Building Inspt Application for Dumping Permit - Adrian Andrusz & Donald Schmid.	ENGINEER
	53.	Building Inspector to Town Board - Re: Dumping Permit - Andrusz & Schmid.	ENGINEER
	54.	George Stephen to Town Board - Cancel PIP's re. Pleasantview Subdivision requests refund of same.	TOWN CLERK FOR RESOLUTION 2/5/90
	55.	LVAC to Town Board - Approval of additional members in Dec. 1989.	R&F
	56.	Youth Bureau Director to Supervisor - Request permission to attend meeting in Albany on 1/16-17/90.	R & F

COMMUNICATIONS CONT'D.

DISPOSITION

57.	Krehbiel Assocates to Town Board - Engineering Contract for 1990.	TOWN ATTORNEY
58.	NYSDEC to Erie County - Erie County Sewer District #4 - Engineering Contract Amendments.	R & F
59.	NYSDEC to Erie County - Erie County Sewer District #4 - Change Order.	R&F
60.	NYSDEC to Supervisor - Environmental Review of Ridgecrest Phase II.	RεF
61.	Erie County Association to Supervisor - Annual meeting and installation 1/18/90.	RεF
62.	Cheektowaga Town Engineer to Supervisor - Resolution & report for Scajaquada Creek Storm-water Management alternatives.	SUPERVISOR
63.	Regional Traffic Engineer to Library Director - Re: Library sign placement on Transit Rd.	RεF
64.	Albany Attorneys to Supervisor - Re: State of the State Message 1990.	RεF
65.	Erie Co. Dept. of Planning to Supervisor - Re: SEQR Referral Review, for Thruway Industrial Park.	SEOR FILE
66.	Town Planning Board to Town Clerk - Minutes of Meeting #1 - 1/3/90.	R & F
67.	Town Planning Board to Town Board - Recommend approval of the Klingelsmith site plan on Townline Road.	TOWN ATTIY FOR RESOLUTION 2/5/90
68.	Town Planning Board to Town Board - Recommend approval of Hengerer site plan on Gunville Rd.	TOWN ATTIY FOR RESOLUTION 2/5/90
69.	NFTA to Supervisor - Negative Declaration for acquisition of Buffalo Airport Center & Demolition of acquired property to comply with FAA clear zone.	R&F
70.	Town Clerk to Dept. of Audit & Control - Transmittal of Tort Claims for 1989.	RεF
71.	Town Line Fire Dept. to Supervisor - Re: Firematic Officers for 1990.	RεF

Supervisor Keysa requested a suspension of the necessary rule for immediate consideration of the following communications - SUSPENSION GRANTED.

72.	NYS Assoc. of Towns to Supervisor -		TOWN CLERK FOR
	Reminder - Resolutions Committee Mtg. 2	2/5/90.	RESOLUTION
72	Marria B. Balana to Companion		SUPERVISOR

73. Warren D. Delzer to Supervisor - SUPERVISOR

Points of view regarding local cable tv.

74. Village of Lancaster, Supt. of Public Works to

Sewer & Sanitation Com. and Town Supervisor
Mtg. 1/17/90 re: Refuse & Garbage Newsletter.

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COMMUNICATIONS CONT'D.

DISPOSITION

75. Lovell SAFETY NEWS, OSHA Recordkeeping Requirements for 1990.

TOWN CLERK

ADJOURNMENT

ON MOTION OF COUNCILMAN CZAPLA, AND SECONDED BY THE ENTIRE TOWN BOARD AND CARRIED, the meeting was adjourned at 10:45 P.M. out of respect to:

MARY BUCHNAT

MARGARET PAULSON

WALTER POREBSKI

MARIE RAUTENSTRAUCH

BRONISLAUS SCIPIEN

SIGNED Robert P. Thill, Town Clerk

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